IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 491 OF 2004

SHRI G.MOHAN ACHARY,VASCO DA GAMA,GOA. ....Petitioners

Versus

STANDARD CHARTERED BANK AND 2 ORS., ...Respondents

Shri G. Vijaychandran, Advocate for the petitioner.

Coram:- R. M. LODHA, J.

Date:- 31st August, 2005

P.C.

Heard Mr. G. Vijaychandran, the learned Counsel for the petitioner. I perused the order dated 11.11.2003 passed by the Central Government Industrial Tribunal.

2. The Tribunal, on consideration of the evidence on record, has held that the petitioner-worman was not employed by the Bank. There was no relationship of the employer and employee between the petitioner and the Bank. Rather, from the evidence of the petitioner himself, it was clear that he was personal employee of the Bank Manager. The Tribunal also considered the evidence of Sunil I. Shirole who deposed that the petitioner was appointed by him as his personal driver and he fixed the service conditions of the driver. He denied that the petitioner was given holidays as per the list of official holidays of the Bank.

3. The findings of the Tribunal that there was no nexus between the Bank and the Petitioner and that there was nothing on record to indicate that control and direction vested in the Bank cannot be said to suffer from any infirmity in law or facts.

4. The writ petition does not deserve to be admitted. Dismissed in limine.

R. M. LODHA, J.